

Message Text

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71

ORIGIN EB-07

INFO OCT-01 IO-10 ISO-00 TRSE-00 STR-04 AF-06 ARA-10 EA-09

EUR-12 NEA-10 FEA-01 AGR-10 CEA-01 CIAE-00 COME-00

DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00

NSC-05 PA-02 AID-05 CIEP-02 SS-15 TAR-01 USIA-15

PRS-01 SP-02 OMB-01 XMB-04 AS-01 /157 R

DRAFTED BY EB/OT/GCP:MHGOLDMAN:DI

APPROVED BY EB/OT/GCP:SAHMAD

TREASURY:THUME

STR:SLANDE (SUBS)

----- 014605

P R 240053Z DEC 75

FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS PRIORITY

INFO USMISSION GENEVA

XMT AMEMBASSY BEIRUT

AMEMBASSY LOURENCO MARQUES

AMCONSUL ASMARA

UNCLAS STATE 302073

INFORM CONSULS

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: GSP CERTIFICATE OF ORIGIN

REF: STATE 277543

1. AS INDICATED PARA 13B REFTTEL, UNCTAD CERTIFICATE OF
ORIGIN FORM A MUST BE COMPLETED BY EXPORTER AND CERTIFIED
BY DESIGNATED GOVERNMENT AUTHORITY IN BENEFICIARY
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DEVELOPING COUNTRY IN ORDER TO QUALIFY ELIGIBLE IMPORTS

FOR GSP. UNDER UNCTAD AGREEMENT, BENEFICIARY COUNTRIES ARE RESPONSIBLE FOR PRINTING AND MAKING AVAILABLE COPIES OF CERTIFICATE. CUSTOMS REGULATIONS SHOULD BE FINALIZED VERY SHORTLY. IN ORDER TO MINIMIZE CONFUSION AT OUTSET OF PROGRAM, HOWEVER, CUSTOMS HAS AGREED TO FACILITATE ENTRIES AS INDICATED BELOW.

2. FOR TIME BEING, UNCTAD CERTIFICATE OF ORIGIN WILL BE ACCEPTED AS CURRENTLY WRITTEN EVEN THOUGH IT DOES NOT ACCURATELY REFLECT U.S. SYSTEM. SPECIFICALLY, NOTE 4 ON REVERSE OF FORM A INDICATES THAT NO MORE THAN 50 PERCENT OF VALUE OF MERCHANDISE MAY BE FROM COUNTRIES OTHER THAN BENEFICIARY. THIS IS INCORRECT. U.S. REQUIREMENT IS THAT A) THE MERCHANDISE MUST BE PRODUCED ONLY IN THE BENEFICIARY COUNTRY, OR B) THE SUM OF THE COST OR VALUE

OF MATERIALS PRODUCED IN THE BENEFICIARY DEVELOPING COUNTRY PLUS THE DIRECT COSTS OF PROCESSING IN THAT COUNTRY MUST EQUAL AT LEAST 35 PERCENT OF THE APPRAISED VALUE OF THE MERCHANDISE AT TIME OF ENTRY INTO THE U.S. SINCE THE APPRAISED VALUE MAY NOT BE KNOWN TO SOME NEW-TO-MARKET EXPORTERS, ABOVE CALCULATION SHOULD BE BASED ON EX-FACTORY PRICE, WHICH IN MOST CASES WILL EQUATE WITH APPRAISED VALUE. THUS, IF ELIGIBLE ARTICLE HAS EX-FACTORY PRICE OF DOLS FIFTY, AND SUM OF COST OR VALUE OF MATERIALS PLUS DIRECT COST OF PROCESSING IS DOLS TWENTY, EXPORTER SHOULD INDICATE IN BOX 8 ON FRONT SIDE OF CERTIFICATE LETTER Y FOLLOWED BY 40 PERCENT. WHOLLY PRODUCED IN THE BENEFICIARY COUNTRY, THE EXPORTER WOULD INSERT LETTER P IN BOX 8. EXPORTERS SHOULD BE ADVISED THAT IMPORTED CONSTITUENT MATERIALS OF WHICH THE ELIGIBLE ARTICLE IS COMPOSED CAN BE COUNTED AS DOMESTICALLY PRODUCED INPUT PROVIDED THEY ARE SUBSTANTIALLY TRANSFORMED IN THE BENEFICIARY COUNTRY INTO A NEW AND DIFFERENT ARTICLE OF COMMERCE. ON THE OTHER HAND, PROFIT AND EXECUTIVE RENUMERATION MAY NOT BE INCLUDED IN THE DIRECT COSTS OF PROCESSING. ADDITIONAL DETAILS WILL BE PROVIDED AS SOON AS REGS ARE ISSUED.

3. FOR THE FIRST NINETY DAYS, DISTRICT DIRECTORS OF CUS-UNCLASSIFIED

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TOMS WILL BE AUTHORIZED TO WAIVE REQUIREMENT FOR CERTIFICATE OF ORIGIN WHEN THEY ARE OTHERWISE SATISFIED THAT MERCHANDISE QUALIFIES FOR GSP.

4. AFTER FIRST NINETY DAYS, OR EARLIER AT DISCRETION OF DISTRICT DIRECTOR, CERTIFICATES WILL BE REQUIRED FOR ALL SHIPMENTS VALUED AT OVER DOLS 250. IF CERTIFICATE DOES NOT ACCOMPANY GOODS AT TIME OF ENTRY, IMPORTER WILL BE

ABLE TO IMPORT GOODS ON GSP BASIS UNDER BOND AND WILL
HAVE SIXTY DAYS (OR MORE FOR GOOD CAUSE) TO OBTAIN
CERTIFICATE.

5. ACTION REQUESTED: POSTS IN BENEFICIARY DEVELOPING
COUNTRIES SHOULD ENSURE THAT DESIGNATED GOVERNMENTAL
AUTHORITY IN HOST COUNTRY (SEE PARA 14 REFTL) IS FULLY
CONVERSANT WITH CONTENTS THIS CABLE, SO THAT FORM A WILL
BE CERTIFIED KNOWLEDGEABLY. KISSINGER

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NNN

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